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**IN THE US DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DR. ORLY TAITZ, ESQ
Plaintiff,
vs.
KATHLEEN SEBELIUS,
In her capacity of Secretary of
Health and Human Services et.al.
Defendant.

) Case No.: **3:12-cv-03251-P**
) VIOLATION OF 14TH AMENDMENT
) EQUAL PROTECTION RIGHTS,
) ESTABLISHMENT CLAUSE
) ARTICLE 2 SEC 1 OF COSTITUTION
) INJUNCTIVE RELIEF, STAY
) DECLARATORY RELIEF
RICO, PREDECATE CRIMES:
FRAUD, AIDING AND ABETTING
FORGERY AND UTTERING OF
FORGED DOCUMENTS TO
COMMIT ELECTIONS FRAUD

7TH AMENDMENT JURY
DEMANDED

**REQUEST FOR JUDICIAL NOTICE FILED IN CONJUNCTION WITH
MOTION FOR STAY/PRELIMINARY INJUNCTION**

1 Plaintiff Pro Se Dr. Orly Taitz (hereinafter "Taitz") hereby requests that the
2 Court take judicial notice of the following document attached as Exhibit 1. This
3 request is made pursuant to Rule 201 of the Federal Rules of Evidence. This
4 request is made in connection with Taitz's Motion for Preliminary Injunction filed
5 by plaintiff.

6 Exhibit 1 - Order from Senior U.S. District Court Judge John L. Kane in
7 recent case Newland et. al. v Sebelius, case No: 1:12-cv-1123-JLK.

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9 **BASIS FOR REQUESTING JUDICIAL NOTICE**

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11 Courts may take judicial notice of proceedings in other courts. *U.S. ex rel*
12 *Robinson Rancheria Citizens Council v. Borneo, Inc.*, 971 F.2d 244, 248 (9th Cir.
13 1992) (citing *St. Louis Baptist Temple, Inc. v. FDIC*, 605 F.2d 1169 (10th Cir.
14 1979)) ("[W]e 'may take notice of proceedings in other courts, both within and
15 without the federal judicial system, if those proceedings have a direct relation to
16 matters at issue.'"). Exhibit 1 is a decision of other federal district court.

17 The content of that decision is a public record that is "not subject to
18 reasonable dispute [and] capable of accurate and ready determination by resort to
19 sources whose accuracy cannot reasonably be questioned." Fed. R. Evid.
20 201(b)(2). This exhibit reflects the decision in other federal court, and is
21 appropriate for judicial notice as set forth in *U.S. ex rel Robinson Rancheria*
22 *Citizens Council*. Taitz requests that this Court take judicial notice of Exhibit 1
23 solely to demonstrate its existence and the similarity of the claims in the cases, and
24 not for the truth of their contents.

25 This order is a precedent to the case at hand. In Newland v Sebelius, the
26 Plaintiffs sought an injunction from providing coverage for abortifacient drugs,
27 contraception, sterilization and the healthcare plan due to their religious aversion

1 against abortions and birth control. The court found that the provision in PPACA
2 violates the Plaintiff's First Amendment rights of Free Exercise of Religion, Free
3 Speech and RFRA.

4 Similarly, case at hand Taitz v Sebelius is seeking an injunction against the
5 same affordable care act on the grounds that it violates First Amendment rights of
6 Free Exercise of Religion, violates First Amendment Establishment Clause, Fifth
7 Amendment Due Process Clause and Fourteenth Amendment Equal Protection
8 Clause as PPACA gives preference to citizens of certain religions such as
9 Muslims exempting them from purchase of health insurance and punishing
10 members of other religions such as Christians and Jews through mandating to
11 purchase health insurance or penalizing by penalty tax if they do not purchase such
12 insurance.

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15 Respectfully submitted,



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17 August 28, 2012

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19 By /s/ Dr. Orly Taitz

20 Dr. Orly Taitz ESQ

21 Plaintiff Pro Se